

**NOTE: ANYONE REQUESTING ASSISTIVE LISTENING DEVICES OR
ANYONE WISHING TO SPEAK ON A MATTER DESIGNATED "CA"
(CONSENT AGENDA) ON THE COUNCIL DOCKET MUST NOTIFY THE
COUNCIL CLERK PRIOR TO THE COMMENCEMENT OF THE MEETING.
Revised***

DATE: April 14, 2010 TIME: 7:00 PM

TOWN HALL - COUNCIL CHAMBERS

PRESENT:

MEETING DATES: April 12, 2010 - Special Town Council Meeting
re Vote on Provisional Budget
April 26, 2010 - Public Hearing on Budget
May 5, 2010 - Town Council Meeting (Final
Council Consideration of Budget)
May 26, 2010 - Town Council Meeting

Special Recognition re Flood Emergency

Commendations: Mt. Hope High School Boys' Winter Varsity Ice
Hockey, 2010 Division III State
Championship
Mt. Hope High School Robotics

Presentation: Victoria White, Chairperson, Substance Abuse
Prevention Task Force - award of 2010
college scholarship

MOTION RE: CONSENT AGENDA - TO APPROVE THE CONSENT AGENDA

A. SUBMISSION OF MINUTES OF PREVIOUS MEETING(S)

1. Town Council Meeting - March 3, 2010
2. Town Council Special Meeting - March 11, 2010
3. Town Council Special Meeting - March 20, 2010
4. Town Council Meeting - March 24, 2010

(CA) AA. SUBMISSION OF MINUTES-Boards and Commissions

**Approval of consent agenda="Motion to receive and place
these items on file."**

1. North and East Burial Grounds Commission -
February 1, 2010
2. Harbor Commission - March 1, 2010
3. Substance Abuse Prevention Task Force -
February 3, 2010
4. Harbor Commission - April 5, 2010
5. Historic District Commission - March 4, 2010

6. Conservation Commission - January 4, 2010
7. Conservation Commission - February 1, 2010
8. Conservation Commission - March 15, 2010

B. OLD BUSINESS

1. Lane Sparkman, Coordinator, Sense of Pride - presentation re Mosaico's Sense of Pride Program, **continued from March 24, 2010**
2. Frank R. Vento, Sr., 16 Charlotte Drive - request for abandonment of a portion of Leahy Drive, **continued from March 24, 2010**
3. Councilman Herreshoff re additional LNG hearing, **continued from March 24, 2010**
 - a. Council Clerk Cirillo to Marcia MacClary, Director Public Affairs, Weaver's Cove Energy re schedule a question and answer forum concerning Weaver's Cove LNG project
 - b. Councilman Herreshoff re LNG Debate
4. Save Bristol Harbor re special appropriation for LNG opposition, **continued from March 24, 2010**

BB. SPECIAL /STATUS REPORTS

C. PUBLIC HEARINGS

1. Ruth Vermilyea, d/b/a East Bay Consignment, 156 Bay View Avenue - request for a Junk and Second Hand Dealer's License to sell furniture consignments and used books
2. Karen A. Alegria, d/b/a King Philip Inn, 400 Metacom Avenue - request for transfer of BV Intoxicating Beverage License to Accommodating Corp., Joao DaSilva, a/k/a John DaSilva, d/b/a Up On The Roof Banquet Facility
 - a. John DaSilva, Accommodating Catering Corp., d/b/a Up On The Roof Banquet Facility, 400 Metacom Avenue - supplemental documents (application, sketch, and menu)
- *3. Ordinance #2010-03, CHAPTER 28, Zoning, Articles I through XI, Divisions 1 through 6, Sections 28-1 through 28-411, (various amendments to the Zoning Ordinance), **2nd reading for adoption (continued from March 31, 2010 concerning sections 28-150 (j) and 28-153)**

D. ORDINANCES

1. Ordinance #2010-09, CHAPTER 16, Motor Vehicles and Traffic, Article IX, Residential Parking, Section, 16-343, Residential parking

zone (Columban Drive), 2nd reading for adoption

(CA) E. BUDGET ADJUSTMENTS

Approval of consent agenda="Motion to approve these adjustments."

1. Tax Assessor Spagnolo re Recommended Abatements & Additions for April, 2010

(CA) F. APPOINTMENTS

Approval of consent agenda="Motion to approve advertising these Appointments."

1. Public Service Appointments
 - a. Assistant Harbor Master (term to expire in 1/2011)
 1. Robert B. West, Jr., 6 Old Orchard Farm Road - interest/appointment
 - b. Planning Board (2) (terms to expire 4/2013)
 1. Armand G. Bilotti, 2 Stephen Drive - interest/reappointment
 2. Kenneth J. Marshall, 2 Marshall Court - interest/reappointment
 - c. Police Pension Fund - Board of Trustees (term to expire 4/2013)
 1. Raymond J. Dutelle, Jr., 256 High Street - interest/reappointment
 - d. Board of Tenants' Affairs
 1. Lorraine Magee, 1014 Hope Street, Apt. GA-1 - resignation
 - e. Animal Shelter Capital Project Committee
 1. Harold E. Tucker, 10 Noyes Avenue - interest/appointment
 - f. Historic District - Auxiliary Member (to fill vacancy term to expire 7/2010)
 1. Harold E. Tucker, 10 Noyes Avenue - interest/appointment

G. LICENSING BOARD - NEW PETITIONS

1. Edward Shea, President, 2nd Story Theatre, 28 Market Street, Warren - request for a Dancing and Entertainment License to hold performances at the State House, 240 High Street between June 3 and June 27, 2010
 - a. Recommendation - Chief of Police

2. Uzma Baig and Zaheer Abbas, d/b/a Midland Farms, 429 Wood Street - request to amend hours of operation (Holiday Sales License)
 - a. Recommendation - Town Administrator and Chief of Police
3. Uzma Baig and Zaheer Abbas, d/b/a Midland Farms, 429 Wood Street - request to amend hours of operation (Victualling License)
 - a. Recommendation - Town Administrator and Chief of Police
4. Ruth Vermilyea, d/b/a East Bay Consignment, 156 Bay View Avenue - request for a Junk and Second Hand Dealer's License to sell furniture consignments and used books (see item C1 also)
5. Karen A. Alegria, d/b/a King Philip Inn, 400 Metacom Avenue - request for transfer of BV Intoxicating Beverage License to Accommodating Corp., Joao DaSilva, a/k/a John DaSilva, d/b/a Up On The Roof Banquet Facility (see item C2 also)
6. Andrew J. Tine, 251 Thames Street - request for a Private Investigator's License
 - a. Recommendation - Town Administrator and Chief of Police
7. Anthony Poissant, d/b/a Common Pub & Grille, 421 Wood Street - request for a Sidewalk Use License
8. William Hicks, d/b/a The Knotty Dog, 31 Bradford Street - request for a Holiday Sales License
- Add Item** 9. Michael J. Ferreira, d/b/a Gillary's, 198 Thames Street - request for a One-Day Dancing and Entertainment License, May 2, 2010

H. LICENSING BOARD - RENEWALS

1. Dog Kennel License renewals for 2010-2011
 - a. Recommendation - Town Administrator and Chief of Police

(CA) I. UTILITY PETITIONS

Approval of consent agenda="Motion to approve these petitions."

1. DPW - Road Cut Permits

J. PETITIONS - OTHER

1. Nancy E. Dobie, Rhode Island Ocean Tides Senior Games - request to present information re 3rd annual event

2. Lorraine N. Rosenberg, 6 Prenda Lane - request permission to remove tree located on Town property
 - a. Lorraine N. Rosenberg, 6 Prenda Lane - request to continue above matter to May 5, 2010
3. Gerard M. DeCelles, for New England Ambulance Service, Inc. re notice of claim

K. OTHER NEW BUSINESS REQUIRING TOWN COUNCIL ACTION

1. Eric Martin, Committee 100, Pilgrim Monument and Provincetown Museum - invitation to participate in Pilgrim Monument Centennial Celebration on August 5, 2010 (response due by May 1st)
2. Jeffrey M. Willis, Deputy Director, Coastal Resources Management Council re public hearing scheduled for consideration of proposed changes to the Coastal Resources Management Program of RI on May 11, 2010
3. Norman Lowrey, 480 Metacom Avenue re suggestions for promoting new businesses to locate in Bristol
4. Melinda L. Thies, Superintendent, Bristol Warren Regional School District - invitation to attend a presentation by the Future Enrollment and Facilities Task Force re recommendations concerning potential overcrowding of elementary schools on April 15, 2010
5. Jose E. Faria, President, Knights of Corte Reais, et al - invitation to honor Manuel C. "Manny" Correia as a distinguished journalist on April 16, 2010
6. Stephen Elmasian, Co-Chairman, Armenian National Committee of Rhode Island - request to fly Armenian Flag (April 24, 2010)
7. Jeanne-Marie Napolitano, Mayor, City of Newport - invitation to attend Aquidneck Island National Police Parade on May 2, 2010
8. Nancy L. Mello, Tiverton Town Clerk - request for consideration of resolution in support of proposed legislation authorizing RI cities and towns to postpone budget and financial town meetings for FY 2010-2011
9. Patti Cofield, Administrative Assistant to Dr. Susan Lusi, Portsmouth School Department re resolution in opposition to RIDE's proposed funding formula
10. Bond Counsel re Borrowing Resolutions
11. Roy Leffingwell, Scoutmaster, Troop 6, Boy Scouts of America re announcement of Eagle Scout Court of Honor for Kyle Porto on May 16, 2010

12. Denny Dart, Chief, Water Enforcement, U.S. Environmental Protection Agency to Town Administrator Mederos re SSES Supplement and Capacity Assessment Reports
13. Councilman Herreshoff re Clean Bristol
14. Councilman Herreshoff re Beautiful Bristol

L. BILLS & EXPENDITURES

1. Bid #697 - Wall Mounted Air Conditioner System

(CA) M. ROUTINE REPORTS

(CA) N. FINANCIAL REPORTS

Approval of consent agenda="Motion to receive and place this item on file."

1. Town Treasurer Day re Monthly/Quarterly Report Fiscal Year Ending March 31, 2010
2. (Town Treasurer Day) re Revenue and Expenditure Statement, April 9, 2010

P. PROCLAMATIONS & CITATIONS

1. Proclamation - Parks and Recreation, RIRPA 2009 Distinguished Department
2. Commendation - Mt. Hope High School Winter Wrestling Varsity Team, Division II & Sectional Championship 2010
3. Commendation - Mt. Hope High School Gymnastics Varsity Team, Division II State Championship 2010

(CA) R. DISTRIBUTIONS/COMMUNICATIONS (to be received and filed by Council)

Approval of consent agenda="Motion to receive and place these items on file."

1. Class F Intoxicating Beverage License - St. Elizabeth Banda Filarmonica, 120 Franklin Street; fundraising dinner, March 27, 2010
2. Geri Manning, Director of Development, Cornerstone Adult Services, Inc. re thank you for support
3. John E. Lanni, Jr., Cranston Council President re resolution in support of establishing a "Blue Alert" program in the State of Rhode Island
4. John E. Lanni, Jr., Cranston Council President re resolution in support of encouraging the return of the America's Cup challenge to Newport

5. Leigh Botello, East Greenwich Town Clerk re resolution in support of encouraging the return of the America's Cup challenge to Newport
6. Town Clerk Cirillo to Gregg Landes, Vice President, Project Manager, Weaver's Cove Energy re request for additional information concerning the Weaver's Cove/Hess LNG proposal
7. Terrence Mercer, Associate Administrator, Motor Carriers Section, RI Division of Public Utilities and Carriers re notice of public hearing to be held on April 6, 2010 for consideration of the application of Newporttravel, LLC requesting to operate a round-trip jitney service between Newport and Colt State Park
8. Resolution in support of H 7278, H 7777, H7277, H 7280, and S 2349; legislative amendments to protect Rhode Island's Cities and Towns and their Public Officials and Employees (signed copy)
9. Resolution in opposition to S 2603; legislative amendment mandating expired teacher contracts must continue all the existing terms and conditions of employment (signed copy)
10. Warrants - Board of Fire Engineers
11. Warrant - John Evans, Harbor Commission
12. Warrant - David F. Miller, Harbor Commission
13. Warrant - David R. Simoes, Zoning Board of Review
14. Warrant - Charles Alexandre, Board of Canvassers
15. Authorizing Resolution re CDBG application (signed copy)
16. Anne M. Irons, CMC, Narragansett Town Clerk re resolution in support of establishing a "Blue Alert" program in the State of Rhode Island
17. Kathleen Viera Beaudoin, Portsmouth Town Clerk re resolution in support of H 7014; bridge safety
18. Nell Carpenter, Architectural Accessibility Fellow, RI Governor's Commission on Disabilities re accessibility inspection report for open meetings at Town Hall Council Chambers
19. Rep. Douglas W. Gablinske to Michael Lewis, Director, Department of Transportation - request for status report concerning Hope Street project

20. Jonathan Stone, Executive Director, Save The Bay re thank you for support concerning opposition to LNG proposal
21. Coastal Resources Management Council - April 2010 Calendar
22. Tina W. Freeman, CMC, Foster Town Clerk - resolution in support of encouraging the return of the America's Cup Races to the City of Newport and resolution in opposition to S 2603; legislative amendment mandating expired teacher contracts must continue all the existing terms and conditions of employment
23. Warrant - Eric Hertfelder, Historic District Commission
24. Warrant - Anthony B. Morettini, Conservation Commission
25. Town Administrator Mederos and Town Clerk Cirillo to H. Curtis Spalding, Environmental Protection Agency - request for opportunity to discuss water quality issues
26. Town Administrator Mederos to Richard Coelho, R.A. Coelho Construction Company re award of Bid #695 - Picnic Tables
27. Town Administrator Mederos to Yardworks, Inc. re award of Bid # 694 - Replacement Tree Planting, Independence Park
28. Warrant - Herculano Falcoa, Alternate Member to the Board of Canvassers
29. Louise R. Phaneuf, Burrillville Town Clerk re resolution in support of H 7278, H 7777, H7277, H 7280, and S 2349; legislative amendments to protect Rhode Island's Cities and Towns and their Public Officials and Employees
30. Coastal Resources Management Council - April 2010 Calendar (Amended 4-2-10)
31. Coastal Resources Management Council - April 2010 Calendar (Amended 4-5-10)
32. Richard B. Iannitelli, Chairperson, Smithfield School Committee re resolution in opposition to H 7581; legislative amendment mandating binding arbitration for teacher and other school employee contracts
33. Richard B. Iannitelli, Chairperson, Smithfield School Committee re resolution in opposition to S 2603; legislative amendment mandating expired teacher contracts must continue all the existing terms and conditions of employment
34. Louise R. Phaneuf, Burrillville Town Clerk re resolution in opposition to S 2603; legislative amendment mandating expired

teacher contracts must continue all the existing terms and conditions of employment

35. Frank T. Caprio, General Treasurer to Gov. Donald L. Carcieri - request to file an additional claim for federal disaster relief for Bristol County
36. Bristol County Water Authority re Board of Directors (3-15-10)
37. Town Clerk Cirillo to Ellen Winsor, Jamestown Town Council re thank you for correspondence concerning the LNG plan proposed by Weaver's Cove
38. Town Solicitor Ursillo to Jennifer Pagliuca, Smith-Barney re response to question of conflict concerning Jeffrey Luiz's current employment and service on the Post Retirement Benefits Fund - Board of Trustees
39. Anne M. Irons, CMC, Narragansett Town Clerk re resolution in support of encouraging the return of the America's Cup challenge to Newport
40. Andy Arruda, Owner, TDR Properties, 84 Cutler Street, Warren to Pasquale DeLise, Executive Director, Bristol County Water Authority - request to be placed on agenda re Fire Service bill

(CA) RR. DISTRIBUTIONS/NOTICE OF MEETINGS
(office copy only)

Approval of consent agenda="Motion to receive and place these items on file."

1. North and East Burial Grounds Commission - April 26, 2010
2. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - March 25, 2010
3. Bristol Warren Regional School District - Schedule of Meetings, Week of March 29, 2010
4. Bristol Warren Regional School District - Schedule of Meetings, Week of March 29, 2010 (April 5, 2010)
5. Bristol Warren Regional School Committee Policy/Community Affairs Subcommittee - April 5, 2010
6. Charter Review Commission - April 13, 2010
7. Fire Department (& Rescue/Training Headquarters) Capital Project Committee - April 8, 2010
8. Bristol County Water Authority/Audit Finance Committee - April 7, 2010

9. Bristol County Water Authority/Engineering Committee - April 7, 2010
10. Bristol County Water Authority/Public Relations/Personnel Committee - April 7, 2010
11. Bristol County Water Authority/Board of Directors - April 14, 2010
12. Recreation Board - April 13, 2010
13. Bristol Warren Regional School District - Schedule of Meetings, Week of April 12, 2010
14. Bristol Warren Regional School Committee - Workshop/Meeting, April 12, 2010
15. Bristol Warren Regional School Committee Future Enrollment & Facilities Task Force - April 15, 2010

S. TOWN SOLICITOR

Z. INDIVIDUAL COUNCIL MEMBERS AGENDA ITEMS

1. MARSHALL
2. CORDEIRO
3. PARELLA
4. BARBOZA
5. HERRESHOFF

ZZ. TOWN ADMINISTRATOR AGENDA ITEM(S)

CITIZENS PUBLIC FORUM

ADJOURNED: _____

:jmw